

Appl. No. 10/624,236
Docket No. H1535-00019
Reply to Office Action dated June 20, 2005

REMARKS/ARGUMENTS

A PETITION FOR EXTENSION OF TIME has been filed, concurrently with this Amendment, extending the time for response to the Official Action one (1) month, from September 20, 2005, to October 20, 2005. **The Commissioner for Patents is authorized to charge the amount of the fee, namely \$60.00, and any additional fees required, in connection with this Petition to Deposit Account No. 04-1679.**

Amendment to Specification:

Paragraph [0026] of the Specification has been amended to correct typographical errors.

Amendment to Claims:

After the entry of this Amendment, claims 1-8, and 10-21 are under active consideration in the subject patent application.

In the Official Action, the Examiner has:

- (1) withdrawn the objections to claims 12, 23, and 24;
- (2) rejected claim 1-8, 10-11, and 14-21 under 35 U.S.C. § 103(a) in view of a proposed combination of U.S. patent No. 3,742,797, issued to Vecchi ("Vecchi") with U.S. patent No. 3,111,053, issued to Svensson ("Svensson");

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(3) rejected claim 12 under 35 U.S.C. § 103(a) in view of a proposed combination of Vecchi, Svensson, and U.S. patent No. 1,968,595, issued to Beck ("Beck");

(4) rejected claim 13 under 35 U.S.C. § 103(a) in view of the proposed combination of Vecchi, Svensson, and U.S. patent No. 4,003,283, issued to Janiszewski ("Janiszewski"); and

(5) found Applicant's argument that the Vecchi and Toeniskoetter devices should not be combined in order to reject the claim to be persuasive.

With regard to Item 1, Applicant acknowledge with appreciation the Examiner's withdrawal of the objections to claims 12, 23 and 24.

With regard to Item 2, claims 1 and 10 have been amended to better distinguish the claimed invention from the cited prior art. Claims 1 and 10 have been amended to now recite the following limitations:

1. . . . an upper die shoe including (i) **a recess integrally formed therein in a top surface**, said recess being complementary to and receiving said bulbous protrusion

10. . . . an upper die shoe including (i) **a recess integrally formed therein in a top surface**, said recess being complementary to and receiving a bulbous protrusion located on a ram portion of said press

As shown by the highlighted texts, the amended claims 1 and 10 require that the recess provided in the upper die shoe for complementarily receiving the bulbous

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protrusion of the ram be formed integrally in the upper die shoe in its top surface. In other words, the recess is formed directly in the upper die shoe itself as illustrated in FIGs. 1, 3, 9 and 10 of the present application.

In contrast, in the device of Svensson cited by the Examiner, the recess that receives the bulbous protrusion (19) of the mounting stud (15) is provided in the intermediate member (18). The recess is not integrally formed in the upper die shoe (12) as required by the amended claims 1 and 10. And nothing in the disclosure of Svensson teaches or suggests that the recess in the intermediate member (18) may be integrally formed into the upper die shoe (12). Therefore, the Svensson does not cure the deficiency of the Vecchi reference, which fails to disclose the connection between the ram and the upper die shoe formed by a bulbous protrusion on the ram and the complementary recess integrally formed on the upper die shoe.

In order for a prima facie case of obviousness to be established under 35 U.S.C. § 103, there must be some suggestion or motivation, either in the reference itself, or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, and the prior art reference must teach or suggest all of the claim limitations. (MPEP §2142). Because neither Vecchi nor Svensson either taken singly or in combination provide the requisite disclosure, claims 1 and 10 are allowable over the cited references.

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Claims 2-8 depend from claim 1 which is allowable over the cited references. Claims 11, and 14-21 depend from claim 10 which is also allowable over the cited references. Because the combination of Vecchi and Svensson cited by the Examiner fail to disclose every claimed element of the parent independent claims 1 and 10, claims 2-8, 11, and 14-21 are also allowable over the cited references. Withdrawal of the rejection of claims 1-8, 10, 11, and 14-21 and their allowance are requested.

With regard to Item 3, in view of the amendment to the parent claim 10, this rejection of claim 12 is traversed. In rejecting claim 12, the Examiner relies upon the Beck in addition to Vecchi and Svensson. The Examiner relies on Beck to provide disclosure of six guide posts. However, the Beck reference does not disclose a ram having a bulbous protrusion nor an upper die shoe having a complementary recess integrally formed therein. Therefore, the Beck reference fails to cure the deficiency of the combination of Vecchi and Svensson with respect to the parent claim 10. Accordingly, the cited references Vecchi, Svensson and Beck, whether taken singly or in combination fail to disclose the invention claimed in claim 12. Withdrawal of the rejection of claim 12 and its allowance are requested.

With regard to Item 4, claim 13 also depends from claim 10 which is allowable over the cited combination of Vecchi and Svensson. In rejecting claim 13, the Examiner relies on Janiszewski in addition to Vecchi and Svensson. The

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Examiner relies on Janiszewski for disclosure of a spring mounted to the guide post. However, the Janiszewski reference does not disclose a ram having a bulbous protrusion nor an upper die shoe having a complementary recess integrally formed therein. Therefore, the Janiszewski reference fails to cure the deficiency of the combination of Vecchi and Svensson with respect to the parent claim 10. Accordingly, the cited references Vecchi, Svensson and Janiszewski, whether taken singly or in combination fail to disclose the invention claimed in claim 13. Withdrawal of the rejection of claim 13 and its allowance are requested.

In view of the above, Applicant believes that all claim rejections have been addressed by the amendment submitted herewith and the pending claims are now in allowable form. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

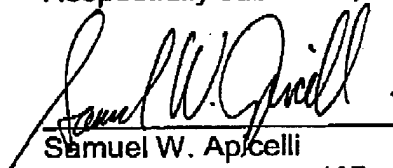
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If a telephone conference would be of assistance in advancing prosecution of the above-identified application, Applicant's undersigned Attorney invites the Examiner to telephone him at 215-979-1255.

Dated: 10/20/05

Respectfully submitted,



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